

25 - SUBSTITUTE SERVICE / MAILING AT BUSINESS

1ECB926099 - EMERY CELLI BRINCKERHOFF & ABADY LLP

UNITED DISTRICT SOUTHERN DISTRICT COURT - NEW YORK COUNTY

ROBERT KALFUS,
PLAINTIFF

- vs. -

THE NEW YORK AND PRESBYTERIAN HOSPITAL
ET AL,
DEFENDANT

Index No: 07CV11455
Date Filed: / /
Office No:
Court Date:

CORRECTED AFFIDAVIT OF SERVICE

STATE OF NEW YORK COUNTY OF NEW YORK :SS:

DAVID GOLDBERG being duly sworn, deposes and says;

I AM OVER THE AGE OF 18 YEARS AND RESIDE IN THE STATE OF NEW YORK.

Deponent served the SUMMONS AND COMPLAINT JURY TRIAL DEMAND upon the DEFENDANT LIEUTENANT EUGENE WHYTE on 01/08/2008 at 02:14PM at ONE POLICE PLAZA ROOM 1320 %OFFICE OF THE DEPUTY COMMISONER POLICE HEADQUARTERS, NEW YORK, NY actual place of business of the DEFENDANT by delivering thereat a true copy to SGT ' JOHN' NIEVES, CO-WORKER OF THE DEFENDANT, a person of suitable age and discretion whose approximate description is as follows:

SEX: MALE

COLOR: BROWN

HAIR: BLACK

APP. AGE: 35

APP. HT: 5'11

APP. WT: 180

OTHER IDENTIFYING FEATURES:

Deponent also mailed a copy of same in an official depository under the exclusive care and custody of the United States Post Office Department within New York State on 01/09/2008 by first class mail to:

LIEUTENANT EUGENE WHYTE
ONE POLICE PLAZA ROOM 1320 %OFFICE OF THE DEPUTY COMMISONER POLICE HEADQUARTERS, NEW YORK,
NY

That address being actual place of business of the DEFENDANT, in an envelope bearing the legend "PERSONAL AND CONFIDENTIAL", and not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person served.

Sworn to before me on 01/09/2008.

NEIL SIMENSKY
Notary Public, State of New York
No. 01SI4767841
Qualified in NEW YORK
Commission Expires 12/31/2010

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